

**REMARKS**

Claims 1 and 3-17 were pending in this application. Claims 1, 6, 7, 10, 11, and 14- 16 have been rejected. Claims 3-5, 8, 9, 12, 13 and 17 have been objected to. Claims 1 and 3-17 remain pending in this application. Reconsideration and full allowance of Claims 1 and 3-17 are respectfully requested.

Applicants thank the Examiner for the indication that Claims 3-5, 8, 9, 12, 13, and 17 would be allowable if rewritten in independent form to incorporate the elements from their respective base claims and any intervening claims. However, as Applicants believe that the remaining claims in this application are allowable, Applicants have not rewritten Claims 3-5, 8, 9, 12, 13, and 17 in independent form.

Claims 1, 6, 7, 10, 11, and 14-16 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Underbrink (U.S. Patent No. 6,114,992). Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claim. It is well recognized that to constitute a rejection pursuant to 35 USC §102, i.e., anticipation, all material elements recited in a claim must be found in one unit of prior art.

Underbrink, as read by applicant, teaches a system and method for acquiring signals from different satellites, wherein the system first acquires at least one signal from at least one satellite, then uses the frequency of the acquired signal(s) and "maximum changes" that "can occur" in the acquired signal(s) to acquire additional signals. (*Col. 6, Line 63 – Col. 7, Line 6*). *Underbrink* simply recites that additional satellite signals may be acquired based on maximum potential effects that "can" occur in one or more acquired signals, thus uses maximum possible changes that might occur in an acquired signal to acquire another signal. Note that despreading of a GPS spread spectrum signal requires

discrete correlations to be done at each of a combination of frequency and code phase combinations related to the received frequency to check whether the signal has been acquired. Underbrink uses the measured frequency of a first acquired GPS signal to narrow down the frequency search for a second GPS signal. In particular, Underbrink performs checks / dwells on each of the possible frequency / code phase combinations to acquire the second signal.

In contrast, the present invention discloses a single code phase check/dwell and also performs checks/dwells on each of the possible frequency/code phase combinations. However, during at least one such check, variations in the measured frequency of the first of the first signal are taken in to account, as recited in the independent claims. Underbrink does not mention taking in to account such variation during a single code phase check (or dwell). Note that longer code phase checks or dwells needed to be employed according to the FCC requirement, and during these longer code phase checks, the variation of local oscillator frequency (measured by measuring the variations in frequency of the first acquired signal) is significant. Thus, the present invention concerns how an individual check is carried out. Accordingly, Underbrink fails to recite or suggest a single such check or dwell, and Underbrink also fails to recite or suggest using variations of the measured frequency of a single acquired GPS signal to optimize the correlation a single check / dwell.

Therefore, the Applicants respectfully request withdrawal of the § 102 rejection and full allowance of Claims 1, 6, 7, 10, 11, and 14-16.

Having addressed the examiner's rejections under 35 USC § 102, applicants submit that for the remarks made herein the reasons for the examiner's rejections have

been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejections and the issuance of a Notice of Allowance.

Should any unresolved issues remain that the examiner believes may be resolved via a telephone call, the examiner is invited to call Applicant's attorney at the telephone number below.

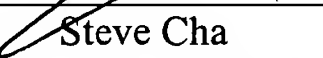
No fees are believed necessary for the filing of this Amendment and Response. However, the Commissioner for Patents is hereby authorized to charge any additional fees, including fees for extensions of time or credit any excess payment that may be associated with this communication to the deposit account number on file.

Respectfully submitted,

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Date: November 12, 2004

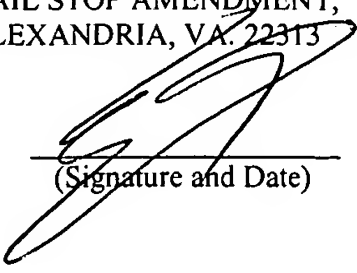
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